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JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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Testimony of Stephen N. Ment
Insurance and Real Estate Committee Public Hearing
March 17, 2015

**House Bill 6951, An Act Concerning The Insurers Rehabilitation
And Liquidation Act**

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch regarding House Bill 6951, *An Act Concerning the Insurers Rehabilitation and Liquidation Act*. The bill provides, in part, that the Superior Court may grant an order of rehabilitation or liquidation, within twenty-four hours after notifying an insurer that a petition has been filed, and further, if the court does not make a determination on the petition within twenty-four hours of it being filed, that it shall be deemed granted at the expiration of the twenty-four hour period.

While the Judicial Branch takes no position on the substance of the bill, we must comment on the procedural challenges that it would present. To start, it would be difficult for the court to provide notice within twenty-four hours as our current system of providing notice takes longer than twenty-four hours. Additionally, we are unclear as to what the notice is to contain. Is it simply to notify the insurer that the petition was filed in court? Further, in an age of civil matters being e-filed, petitions can be filed at any time, including weekends. In these instances, notice certainly couldn't be provided in the twenty-four window.

Finally, our current system does not automatically generate a result on a motion on a specific timetable. If our system is required to automatically generate a result, or enter a disposition on the case twenty-four hours after filing, significant resources will be necessary to ensure that this can be achieved.

Thank you for the opportunity to submit written testimony in opposition to these provisions.